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10/22/13

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

In the Matter of the Search of)
 (Briefly describe the property to be searched)
 or identify the person by name and address))

A 4' x 7" yellow Scotch padded envelope)
 addressed to Anthony Bayog, 176 N. Clayton St.,)
 Centerburg, OH 43011. With two stamps affixed.)

Case No.

2:13-mj-566

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

A 4' x 7" yellow Scotch padded envelope addressed to Anthony Bayog, 176 N. Clayton St., Centerburg, OH 43011; bearing the return address of Mr. U.R. Gamit, 4838 Koval Ln. #8, Las Vegas, NV 89109. With two stamps affixed.

located in the Southern District of Ohio, there is now concealed (identify the person or describe the property to be seized):

A quantity of controlled dangerous substance of which is contraband.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☒ contraband, fruits of crime, or other items illegally possessed;
☐ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section

Offense Description

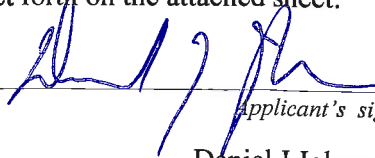
Title 21,
 United States Code, Section
 841(a)(1), Title 21, United States
 Code, Section 843(b).

Distribution of Controlled Substances, and, Unlawful Use of Communication
 Facility (U.S. Mail)

The application is based on these facts:

See Attachment A

- ☒ Continued on the attached sheet.
☐ Delayed notice _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.



Applicant's signature

Daniel J Johnson, USPIS

Printed name and title

Sworn to before me and signed in my presence.

Date: 10/23/2013



Judge's signature

City and state: Columbus, Ohio

Terence P. Kemp, U.S. Magistrate Judge

Printed name and title

Attachment to Application and Affidavit for Search Warrant

I, Daniel J. Johnson, Postal Inspector, being duly sworn, depose and state as follows:

I have been a U.S. Postal Inspector for the past 5 years, enforcing federal mail and drug laws; currently assigned to Columbus, OH. I have received training at U.S. Postal Inspection Service National Training Seminars for mail related criminal investigations and have investigated cases with other federal, state, and local police units.

The U.S. Postal Inspection Service is aware that drug traffickers have been using U.S. Mail, to transport controlled substances and transfer funds, cash or otherwise, to further their enterprises. As a result of past investigations and prosecutions, the Postal Inspection Service has determined that a number of indicators can be used to identify packages containing contraband that have been entered into the U.S. Mail network. Inspectors routinely review shipment documents and Express Mail packages originating from or destined to drug source areas, to identify instances where there is a possibility of drug trafficking.

Knox County Sheriff's Office received an anonymous tip that Anthony Bayog was receiving methamphetamine through the U.S. Mail from Las Vegas, Nevada.

On October 18, 2013 Postal Inspectors took custody of, subject parcel (1) a 4' x 7" yellow Scotch padded envelope addressed to Anthony Bayog, 176 N. Clayton St., Centerburg, OH 43011; bearing the return address of Mr. U.R. Gamit, 4838 Koval Ln. #8, Las Vegas, NV 89109. The parcel feels that is contains a crystal substance consistent with methamphetamine.

The parcel was never presented to a postal employee. It contains four uncanceled "Forever" postage stamps.

A computerized address check revealed, 176 N. Clayton St., Centerburg, is a legitimate address in, Centerburg, OH 43011, and Anthony Bayog can be associated with this address. A computerized address was also conducted for; 4838 Koval Ln. #8, Las Vegas, NV 89109. This is a legitimate address in Las Vegas, Nevada, however, Mr. U.R. Gamit could not be associated with this address.

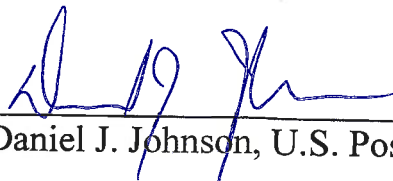
On October 21, 2013, Postal Inspectors contacted Officer Ron Lanning, Columbus Police Department, who is the handler for "Sully", a drug detection dog. Sully did not alert to subject parcel (1).

On October 21, 2013 Postal Inspectors were notified that a second parcel (2) in a 4' x 7" yellow Scotch padded envelope addressed to Anthony Bayog, 176 N. Clayton St., Centerburg, OH 43011; bearing the return address of Mr. U.R. Gamit, 4838 Koval Ln. #8, Las Vegas, NV 89109 arrived at the Centerburg Post Office. This parcel is identical in appearance to subject parcel (1) but contains only two uncanceled "Forever" postage stamps.


On October 21, 2013, Knox County Detective Scott Keene was contacted, who is the handler for K9 "0lo", a drug detection dog, most recently certified by the Ohio Peace Officers Training Council for the detection of: marijuana, hashish, cocaine, "crack", heroin, and methamphetamine. The subject parcel was hidden among other packages, and "K9 010" was allowed to search the entire area. Detective Keene concluded that K-9 "0lo" did alert positively to U. S. Postal Service Mail subject parcel (2). Based on that alert, Detective Keene concluded that the odor of one of the drugs that K-9 "0lo" is trained and certified to detect was present.

Your affiant knows that drug traffickers have, in the past used unknown names at legitimate addresses to receive parcels containing illegal narcotics and used non-existent addresses or addresses belonging to others for the sender, in an attempt to legitimize the shipment, if the parcel is seized by law enforcement officers. Additionally, Nevada is a known source area for shipment of illegal narcotics to Central Ohio as well as other areas of the United States.

Based on the facts set forth in this Affidavit, I believe there is probable cause to believe that controlled substances are being concealed in the parcels, and seek the issuance of a warrant to search the parcel for controlled substances to be seized.


Daniel J. Johnson, U.S. Postal Inspector

Sworn to before me, and subscribed in my presence, this 23rd day of October 2013, at Columbus, Ohio.


Terence P. Kemp, U.S. Magistrate Judge